



U.S. Department of Justice

United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 28, 2018

**BY ECF**

The Honorable Richard M. Berman  
United States District Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Todd Howe*, 16 Cr. 632 (RMB)**

Dear Judge Berman,

On February 8, 2018, the Honorable J. Paul Oetken signed an order revoking the bail conditions of the above-captioned defendant, Todd Howe, and issued a warrant for Howe's arrest. Howe was arrested later that same day and presented in Magistrates' Court on February 9, 2018, before the Honorable Robert W. Lehrburger. During Howe's presentment, Judge Lehrburger set a control date for an appearance in the instant matter for March 2, 2018. On or about February 26, 2018, Your Honor rescheduled that appearance for March 1, 2018, at 9:00 a.m. The Government writes to respectfully request that the appearance currently scheduled for March 1, 2018, at 9:00 a.m., be adjourned until sometime during the week of March 12, 2018.

As the Court is likely aware, Howe recently testified as a cooperating witness for the Government in the trial of *United States v. Joseph Percoco, et al*, 16 Cr. 776 (VEC). Howe was remanded while on cross-examination. Given that events relating to the trial are likely to be discussed at Howe's appearance before Your Honor, and members of the trial team are currently on trial and unavailable, the Government respectfully requests that Howe's appearance be postponed until the trial is completed. The Government anticipates that the trial of *United States v. Joseph Percoco, et al*, 16 Cr. 776 (VEC) will be completed by the week of March 12, 2018.

cc: Richard Morvillo